

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA ) Criminal No. 23cr10153  
v. )  
STEWART SILVESTRI, ) Violation:  
Defendant )  
 ) Count One: Unlawful Possession of  
 ) Machineguns  
 ) (18 U.S.C. § 922(o))  
 )  
 ) Forfeiture Allegation:  
 ) (18 U.S.C. § 924(d); 28 U.S.C. § 2461(c))

INFORMATION

COUNT ONE  
Unlawful Possession of Machineguns  
(18 U.S.C. § 922(o))

The United States Attorney charges:

On or about October 15, 2022, in Rowley, in the District of Massachusetts, and elsewhere,  
the defendant,

STEWART SILVESTRI,

knowingly possessed one and more machineguns, as defined by Title 26, United States Code,  
Section 5845(b), that is 1) a Polymer80, P80 Tactical pistol, model PF940V2 with an auto-sear,  
and 2) a Polymer 80, P80 Tactical pistol, model PF940SC with an auto-sear.

All in violation of Title 18, United States Code, Section 922(o).

**FIREARM FORFEITURE ALLEGATION**  
(18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c))

The United States Attorney further alleges:

1. Upon conviction of the offense in violation of Title 18, United States Code, Section 922(o), set forth in Count One, the defendant,

STEWART SILVESTRI,

shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d)(1), and Title 28, United States Code, Section 2461(c), any firearm or ammunition involved in or used in any knowing commission of the offense. The property to be forfeited includes, but is not limited to, the following:

a. Firearms and ammunition seized from the defendant on October 15, 2022, October 17, 2022, and November 2, 2022.

2. If any of the property described in Paragraph 1, above, as being forfeitable pursuant to Title 18, United States Code, Section 924(d)(1), and Title 28, United States Code, Section 2461(c), as a result of any act or omission of the defendant --

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

it is the intention of the United States, pursuant to Title 28, United States Code, Section 2461(c), incorporating Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the property described in Paragraph 1 above.

All pursuant to Title 18, United States Code, Section 924, and Title 28, United States Code, Section 2461.

Respectfully Submitted,

JOSHUA S. LEVY  
Acting United States Attorney



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Philip C. Cheng  
Assistant U.S. Attorney  
District of Massachusetts